APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,722	05/22/2002	Andrea Zisman	08364.0031	5975

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EXAMINER
AMSBURY, WAYNE P

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 11/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 August 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>47-81</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>47-81</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 May 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

CLAIMS 47-81 ARE PENDING

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Applicant's arguments filed 8/29/05 with respect to the new claims 47-81 have been fully considered but they are not persuasive.

Applicant argues that Nochur fails to teach a claimed statement [Response page 19 par. 2] concerning consistency link data. To the contrary, essentially the same statement was explicitly rejected in the previous action, and is addressed in the rejections below.

3. Claim 47 is objected to because of the following informalities: Pluralities are missing. In particular, at lines 7 and 12, *relationship* should be plural. Please edit all claims for similar informalities. **Appropriate correction is required.**

4. Claims 47-50, 56-64 and 70-78 are rejected under 35 U.S.C. 102(a) as being anticipated by Nochur et al (Nochur), US 5,835,758, 10 November 1998.

Nochur is directed to representing items, links, maps, cases-and other computer-domains [COL 3 lines 18-36], concerning which the user may define various rules [COL 3 lines 32-36]. These are structured as documents called maps [COL 3 lines 37-62].

As to **claim 47**:

A method of processing electronic document files having predefined structures to generate consistency link data identifying within said electronic document files the locations of items of data which do or do not fulfill the requirements of one or more consistency relationships,

The links between maps is analyzed based on various rules, conditions, and heuristics [COL 9 lines 13-16], and this information is stored, transferred, and received [COL 9 lines 16-22]. The data within the documents is identified with respect to whether it does or does not fulfill the requirements of a formal set of consistency relationships [COL 9 lines 24-28]. The documents of Nochur are structured documents and thus are files having predefined structures [COL 3 lines 37-62].

The steps of the preamble are carried out as follows:

providing data defining one or more consistency rules, each of said consistency rules identifying source criteria for locating data within electronic document files having predefined structures and relationship (sic) which may be fulfilled by items of data;

utilizing said source criteria of said defined consistency rules to identify items of data located at locations within electronic document files being processed which fulfill said source criteria of said consistency rules;

At COL 3 lines 53-62, Nochur provides examples of structured documents such as spreadsheets and other classes of document that have predefined structures and relationships that may be fulfilled by items of data. Rules, heuristics, and norms may be specified [COL 3 line 63 to COL 4 line 6]. The map provides for specific items that may

be indexed and retrieved, and thus for locating the data [COL 3 lines 49-53]. Some of

the utilizations are querying, reporting, and sharing the data among users on a

computer network [COL 4 lines 2-6]. See also [COL 3 lines 18-22, COL 3 lines 47-49,

Col 3 line 63-COL 4 line 9, COL 9 lines 13-32].

determing whether said identified items of data from within said electronic

document files fulfill relationship (sic) defined by the consistency rule utilized to identify

said items of data; and

The rules, heuristics, and norms are parsed to see if they are correct, consistent,

and complete with regard to the items [COL 3 line 63 to COL 4 line 2].

generating consistency link data identifying locations of identified items of data

within said electronic documents based upon said determination of whether said

identified items of data at said locations fulfill the relationships defined by the

consistency rules utilized to identify said items of data.

The formality of the consistency relationships is specified in a number of places,

in particular at COL 9 lines 13-16, where completeness, correctness, and consistency

are based in least in part on rules and conditions. Nochur specifically addresses the

presence or absence of items as part of the parsing and consistency determination

[COL 9 lines 24-28].

As to **claim 48**, location of data items within a document requires specification of

its address or relative address, which corresponds to a pointer.

As to **claim 49**, it is inherent in the definition of a consistency rule that some condition is used with a determination as to whether or not identified data does or does not fulfill the condition of the rule.

As to **claim 50**, testing of a condition [COL 9 lines 13-32 and elsewhere], requires use of a comparison operation.

As to **claim 56-57**, the user can monitor alerts and other notifications such as reports generated by consistency data rules [COL 5 lines 55-58; COL 10 lines 11-27; COL 8 line 66 to COL 11 line 12 and elsewhere]. Output presentation is depicted in FIG 6-9, and reports in FIG 8. There is an output generation module [COL 5 lines 59-65]. The output can be a set of linked documents [FIG 6].

As to **claim 58**, document links and document labels are depicted in FIG 9 and elsewhere. Links may be labeled in various ways [COL 3 lines 48-49].

As to **claim 59**, FIG 6 depicts natural language descriptions of relationships.

The elements of **claims 60-64 and 70-78** are rejected in the analysis above and these claims are rejected on that basis.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

Claims 51-55, 65-69 and 79-81 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Nochur et al (Nochur), US 5,835,758, 10 November 1998

As to **claim 52**, Nochur does not specify that the consistency link data includes

identification of a rule and a status to indicate that an item is or is not present, but **it**

would have been obvious to one of ordinary skill in the art at the time of the invention

to do so at some level of programming because consistency is determined by some

identified rule and succeeding actions require knowledge of the result, its status.

As to **claim 53**, Nochur provides for monitoring document files to determine if

they have been amended [COL 10 lines 18-27 and lines 45-47; COL 13 lines 40-64].

Status notes may be attached [COL 13 lines 49-51]. The monitoring can be automated

[COL 13 lines 59-64]. However, it is not specified that this generate further consistency

link data, *per se*. **It would have been obvious** to one of ordinary skill in the art at the

time of the invention to generate further consistency link data at least in the form of a

status because otherwise the automation of the supported user actions would not be

complete.

As to **claim 54**, Nochur provides for monitoring to see it actions have or have not

been acted on at specific times [COL 13 lines 42-45] which requires a time stamp for

the action specified.

Nochur provides for sublevels of goals [COL 11 lines 25-28], which inherently tier

rules at one level with those of another. Items can generally be connected in ways that

promote iteration of rule application, such as hierarchies [COL 11 lines 49-53], and a

connection can be established between any item and another map or other kind of

document [COL 12 lines 24-27]. Related maps can be indexed or referenced in a folder

called a case [COL 12 lines 47-49].

Data, such as an address or a credit card specification, may be missing as a

whole or in part. The components serve as familiar examples of second-generation

categories of data that might be tested for absence or presence.

As to **claim 51**, **it would have been obvious** to one of ordinary skill in the art at

the time of the invention to provide for a second data generation category only when

associated with a first data generation category rule, because no rule is useful for only

the second category.

As to **claim 55**, in order to monitor amendments as individual items, it is

necessary to monitor them so that they may be made one at a time and/or in parts.

Thus a consistency rule that determines whether or not an address has been filled in, or

whether or not a credit card number has been filled in, may reasonably generate a

second generation of consistency rule for the zip code or the 4-digit extension,

respectively. Rules that no longer apply due to amendment need to be deleted in order

to prevent redundancy. For these reasons, **it would have been obvious** to one of

ordinary skill in the art at the time of the invention to provide the supporting operations

as claimed.

As to **claims 79-81**, the figures clearly show the intent to use disc storage [FIG 2

28], and networks [FIG 1-3]. **it would have been obvious** to one of ordinary skill in the

art at the time of the invention to use standard components such as discs, optical or

otherwise, and the Internet as a network because they are readily available, efficient,

and cheap.

The elements of **claims 65-69** are rejected in the analysis above and these

claims are rejected on that basis.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Amsbury whose telephone number is 571-272-4015. The examiner can normally be reached on M-F 6-18:30 FIRST WEEK.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WPA

WAYNE AMSBURY
PRIMARY PATENT EXAMINER